IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 13271 of 2005

Between:

Syed. Quadeer S/o. Syed Ameer,
R/o. 18-8-245/B/93, Moin Bagh, Hyderabad.

..... PETITIONER

AND

The Regional Passport Officer,

Office of the Regional Passport,

Kummarguda, Near Prashant Theatre,

Secunderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass an order or writ particularly writ in the nature of mandamus declaring act of refusal to receive application dt. 13th June, 2005 of the Petitioner along with old passport bearing No. A 5070921, valid from 18th March, 1998 to 17th March, 2008 with incorrect date of birth as mentioned as 6th March, 19879 and SSC Marks Memo with correct date of birth as 6th March, 1982 and to issue fresh Passport with correct date of birth as 6th March, 1982, by asking the petitioner to bring the Declaratory Order from the Court for correcting the date of birth as arbitrary, illegal on the part of the Respondent and issue any other direction or orders in favour of the petitioner and against the Respondent in the circumstances of the case in the interests of justice.

Counsel for the Petitioner:MR.BAJRANG SINGH THAKUR

Counsel for the Respondent: MR.A.RAJASHEKAR REDDY (ASST.SOLICITOR GEN.)

The Court, at the stage of admission, made the following:

ORDER:

Heard the learned counsel appearing for both sides and with their consent the writ petition is disposed of at the admission stage.

The petitioner seeks a direction to the respondent-Regional Passport Officer, Secunderabad to issue a passport as per his application dated 13-06-2005 with the correct date of birth as entered in the Secondary School Certificate issued by the Secretary, Board of Secondary Education, Andhra Pradesh, Hyderabad.

The learned counsel for the petitioner draws my attention to the judgment of this Court in ***MOHD.NASRULLAH KHAN v. REGIONAL PASSPORT OFFICER, HYDERABAD*** wherein this Court held that since the Secondary School Certificate has been produced to prove the correct date of birth, the claim of the candidate is covered by Clause (a) of the Circular dated 18-04-2001 and consequently a direction was issued to the respondent to consider the application of the petitioner along with the Secondary School Certificate and to pass appropriate orders.

Following the aforesaid judgment, a direction is issued to the respondent-Regional

Passport Officer, Secunderabad, to consider the application of the petitioner along with the Secondary School Certificate issued by the Secretary, Board of Secondary Education, Andhra Pradesh, Hyderabad and pass appropriate orders thereon.

The Writ Petition is accordingly disposed of. No order as to costs.

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RAMESH RANGANATHAN, J

Lrkm

Date:22-06-2005.

To

1. The Regional Passport Officer, Office of the Regional Passport,

2. 2 CD copies.

*Form-NIC-OGS/WP{**VSMI**}*